



BUCKET FILE COPY ORIGINAL

# HARMONY SCIENCE ACADEMY

5435 S. Braeswood Houston, TX 77096 ♦ Tel: 713.729.4400

RECEIVED & INSPECTED

SEP 22 2004

FCC - MAILROOM

**Re: CC Docket No 02-6**

Dear Sir/Madam,

We received the attached letter (Attachment 1) on September 20<sup>th</sup>, 2004. After receiving the letter carefully, we decided to appeal this case and ask a waiver for deadline.

**Reason asking for a deadline waiver:**

The SLD decision letter arrived the School on September 20<sup>th</sup>, 2004. There was no communication made between SLD and Harmony Science Academy-Houston. The copy of envelope that has postage on it is in attachment 2

**Appeal Reason:**

We received attached letter on September 20<sup>th</sup>, 2004. The person, Don Jones (alias name Randy Hicks), who was indicated in the attached letter came to our school and introduce himself as a consultant. It was our second year of operation. Nobody has knowledge about E-rate program. We gave him in the amount of \$ 85 and sign a contract for him to follow up with filings and deadlines. He filed 470 & 471. After we figured out that he does not follow up well in the filing, We assigned a person in charge afterwards. We learnt today that he used an alias to sign those forms that was supposed to be signed by an authorized person in School. We have been deceived on this matter.

Since we did not have any knowledge about Rules and regulation of SLD and E-rate Grant Program. We authorized him to be a contact person.

Our budget was prepared and submitted to TEA (Texas education Agency). The amount of funding, which was denied fort 2002-2003 funding year , is too high and Harmony Science Academy has no role on Mr. Jones scheme involved obtaining funding commitments for Mr. Jones` false certification that he had authority to request funding commitment. Besides, our administrators were contacting him to what to do more on this e-rate program in order to get funding during those times. SLD did not inform us on time to file another 470, we received funding commitment letter from SLD on September 2003. We received and paid for the discounted part of the services. Today, it will be so hard to do a budget adjustment and pay the discounted amount to the vendors.

Harmony Science Academy will comply and continue to comply with this matter.

Information about school can be found on attachment 3

Sincerely yours,  
Ismet Isik, M. Eng  
Administrator

No. of Copies rec'd 0  
List ABOVE

# ATTACHMENT

# 1



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal - Funding Year 2002-2003**

July 13, 2004

Ismet Isik  
Harmony Science Academy  
5435 South Braeswood  
Houston, Texas 77096

Re:      Billed Entity Number:            228959  
         471 Application Number:           329714  
         Funding Request Number(s):       889883, 889884  
         Your Correspondence Dated:       February 25, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2002 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number(s):    889883, 889884  
Decision on Appeal:                **Denied in full**  
Explanation:

- 902  
6-10-04
- You have stated on appeal that the information on the Form 470 and Form 471 in Funding Year 2002-2003 was correct and these forms were signed by authorized personnel.
  - After a thorough review of the appeal and all relevant support documentation, it was determined that on September 12, 2002, USAC staff members and USAC Associate General Counsel met with Don Jones' attorney. This meeting took place at the request of Mr. Jones' attorney. At this meeting, Mr. Jones' attorney provided USAC with copies of documents relating to the Schools and Libraries Support Mechanism that he stated had been falsely signed by his client. According to the attorney, Mr. Jones' scheme involved obtaining funding commitments for applicants based on Mr. Jones' false

certification that he had authority to request funding commitments. Mr. Jones signed his own name, signed the name of other persons for whom he did not have authority to sign, and signed forms using an alias (Randy Hicks). Your forms 470 and 471 were both signed by Randy Hicks. Consequently, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12<sup>th</sup> Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

# ATTACHMENT

## 2

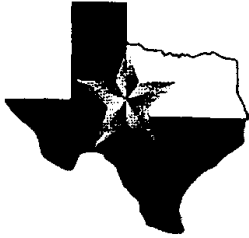
**USAC**  
UNIVERSAL SERVICE  
ADMINISTRATIVE CO.  
Schools and Libraries Division  
80 South Jefferson Road  
Whippany, NJ 07981



HARMONY SCIENCE ACADEMY  
ATTN: ISMET ISIK  
5435 SOUTH BRAESWOOD  
HOUSTON, TX 77096

# ATTACHMENT

## 3



# TEXAS EDUCATION AGENCY

1701 North Congress Ave. ★ Austin, Texas 78701-1494 ★ 512/463-9734 ★ FAX: 512/463-9838 ★ <http://www.tea.state.tx.us>

Jim Nelson  
Commissioner of Education

August 15, 2001

To Whom It May Concern:

This letter is written to verify that Texas open-enrollment charter schools are approved and accredited by the State Board of Education. All approved charter locations are Texas public schools. Harmony Science Academy - Houston, county/district number 101-846, is an approved Texas charter school.

Should you need any additional information, I can be reached at (512) 463-9572.

Sincerely,

Mary Perry, Charter Schools Division